IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

MONDAY, THE NINTEENTH DAY OF JULY
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MS JUSTICE G.ROHINI

WRIT PETITION NO : 9625 of 2004

Between:

1) N. Hanumantha Rao S/o Venkaiah
R/o Gondriyala, 45 years, Kodad Mandal, Nalgonda District
2) N. Seshu S/o Sudarshan, 30 years,
R/o Gondriyala, Kodad Mandal, Nalgonda District
3) A. Damodar Rao, S/o Venkaiah, Duddaram, Nelakondapalli (M), Khammam District

..... PETITIONERS

AND

1 The Assistant Commissioner of Endowments, Nalgonda, Nalgonda District
2 The Person-in-Management, Sri Umamaheswaraswamy Devasthanam, Gondriyala, Koda Mandal, Nalgonda District

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue an appropriate Writ, order or direction one in the nature of Writ of Mandamus declaring the action of the respondents in seeking to conduct the auction of the temple lands of Sri Umamaheswara Swamyvari Devasthanam, Godriyala, Kodad Mandal, Nalgonda District, though the petitioners are the highest bidders in the auction conducted on 9-3-2004 and though the land has already being handed over to them and they have started agricultural operation as illegal, arbitrary and contrary to the provisions of the A.P. Charitable and Hindu Religious Institutions and Endowments Act, 1987 and the rules framed thereunder and consequently direct the respondents not to interfere with the agricultural operations of the petitioners.

Counsel for the Petitioners:MR.SRINIVASA RAO BODDULURI

Counsel for the Respondents: GP FOR ENDOWMENTS

The Court made the following :

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THE HON'BLE MS. JUSTICE G.ROHINI

WRIT PETITION NO.9625 OF 2004

ORAL ORDER :

The petitioners seek a Writ of Mandamus declaring the action of the respondents in proposing to conduct the auction in respect of the leasehold rights of the temple lands of Sri Uma Maheswara Swamyvari Devasthanam, Gondriyala, Kodad Mandal, Nalgonda District as arbitrary and illegal.

Though initially this Court granted stay of auction, subsequently after hearing both sides, the said interim order was vacated on 08-07-2004. In view of the fact that the interim order has already been vacated and the relief sought for in the main writ petition itself is to declare the action of the respondents in seeking to conduct the auction as illegal, nothing survives for adjudication in the writ petition.

Accordingly, the Writ Petition is dismissed as infructuous. It is made clear that this shall not preclude the petitioners to initiate fresh proceedings with regard to the

leasehold rights if any in respect of the lands in question. No costs.

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19th July, 2004.

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To

1. The Assistant Commissioner of Endowments, Nalgonda, Nalgonda District.
2. The Person-in-management, Sri Umamaheswara Swamy Devasthanam, Gondriyala, Kodad Mandal, Nalgonda District.
3. Two CCs to G.P. for Endowments, High Court Buildings, Hydeabad. (OUT)
4. Two CD copies.

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